

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

GENWORTH LIFE AND ANNUITY
INSURANCE COMPANY,

Plaintiff,

v.

ROBERT ALLEN CASE, et al,

Defendants.

Case No. 1:22-cv-00435
Magistrate Judge Litkovitz

AGREED FINAL JUDGMENT ENTRY

Defendant and Cross-Claim Plaintiff/Defendant Robert Case (“Mr. Case”) and Defendant and Cross-Claim Defendant/Plaintiff Lori Stewart (“Ms. Stewart”), together by and through counsel, hereby notify the Court that this matter has been settled by agreement of the parties and request entry of final judgment to effectuate the terms of same. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

1. The Court **ENTERS JUDGMENT** against Ms. Stewart and in favor of Mr. Case on Mr. Case’s Count VI for Declaratory Judgment, and finds that Mr. Case is the 100% beneficiary of the Genworth Policy and the TDA Ameritrade IRA account at issue in this action.
2. Mr. Case’s Count I for Tortious Interference with Expectancy of Inheritance; Count II for Conversion; Count III for Civil Liability; Count IV for Intentional Infliction of Emotional Distress; and Count V for Punitive Damages are hereby **DISMISSED WITH PREJUDICE**.
3. Because the controversy involving the funds deposited by Genworth Life and Annuity Insurance Company (“Genworth”) has now been resolved in favor of Mr.

Case, the Court **HEREBY ORDERS** the Clerk of this Court to, as soon as practical, pay out to Mr. Case the entirety of what was initially deposited by Genworth and the interest earned on this deposit during the pendency of this action.

4. The Court **ORDERS** the Parties to comply with all other material terms of the Settlement Agreement.
5. The Court retains jurisdiction to enforce the terms of the Settlement Agreement between and among the parties to this matter.
6. Each party shall bear its own costs.
7. The Court **DIRECTS** the Clerk to serve a copy of this Judgment on all parties or their counsel of record in the manner prescribed by Civ.R. 5(B).

IT IS SO ORDERED.

DATED: October 7, 2024


Judge Karen L. Litkovitz
U.S. Magistrate Judge